

EXHIBIT A

STATE OF TEXAS

§

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HARRIS COUNTY

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AFFIDAVIT OF CAMERON POWELL

Before me, the undersigned notary, on this day personally appeared Cameron Powell, whose identity is known to me, who under oath states as follows:

1. My name is Cameron Powell, of the law firm Gregor Wynne Arney, and, along with Michael Wynne, I am co-counsel for Defendants True the Vote, Catherine Engelbrecht, and Gregg Phillips. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct;

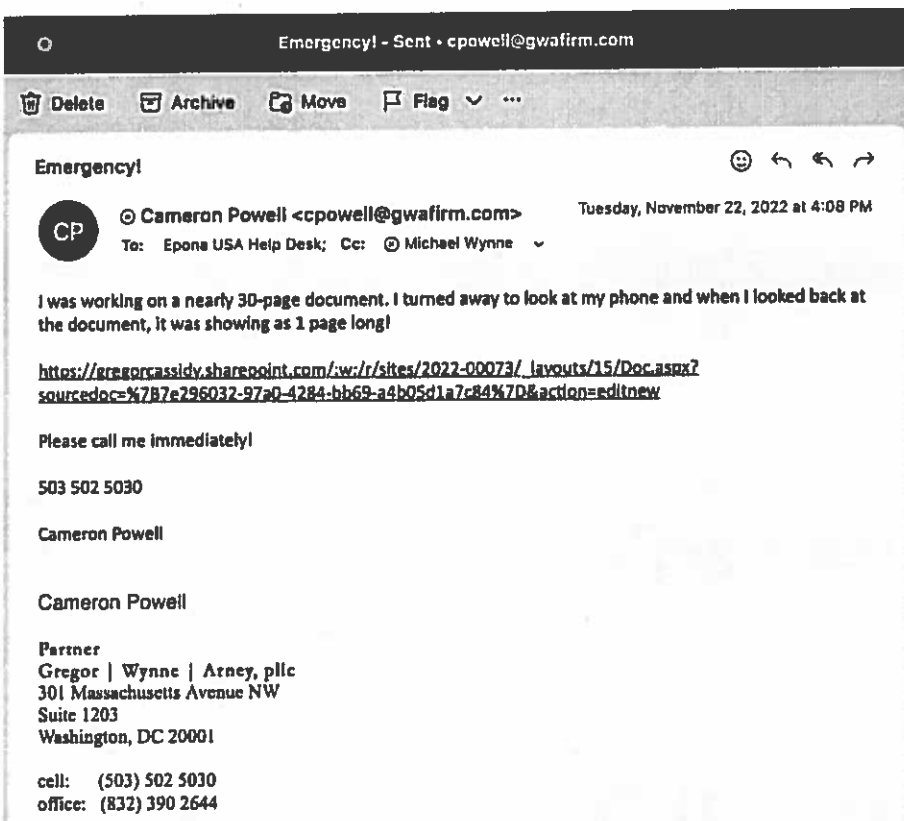
2. Gregor Wynne Arney is a small firm of about a dozen part-time and full-time lawyers. There are two lawyers – Michael Wynne and I – working on the *Konnech v. True the Vote et al* matter. We took a considerable amount of time away from other clients in order to appeal our clients' contempt and imprisonment, in October 2022, with a mandamus petition to the Fifth Circuit, with the result that one of our priorities afterward necessarily became catching up on those other clients following the Court of Appeals' ruling on our mandamus petition.

3. In addition, our clients were greatly impacted by their time in prison, and required some weeks to be able to focus on this case again, and to feel they were thinking clearly.

4. On November 11, 2022, I had surgery that dictated house rest for two weeks, and was able to perform only minimal work.

5. I began researching and drafting our client's motion to recuse in early November, 2022.

6. Some weeks after I had begun, on November 22, 2022, our Microsoft Sharepoint software-as-a-service platform crashed our draft document, causing the loss of much of the document, then over 30 pages in length, and requiring us to rebuild it. The screenshot below illustrates my email to our Sharepoint provider, Epona, about the loss of almost all the document:



7. We eventually recovered and rebuilt the document, as can be seen from the version history (of the document entitled “Motion to Recuse”) in the screenshot below.

Version history

0.12	11/21/2022 8:12 PM	Cameron Powell	46.7 KB
0.11	11/21/2022 8:05 PM	Cameron Powell	45.1 KB
0.10	11/21/2022 7:52 PM	Cameron Powell	40.6 KB
0.9	11/21/2022 7:42 PM	Cameron Powell	38.7 KB
0.8	11/21/2022 7:29 PM	Cameron Powell	37.5 KB
0.7	11/21/2022 7:19 PM	Cameron Powell	35.8 KB
0.6	11/21/2022 7:07 PM	Cameron Powell	32.6 KB
0.5	11/21/2022 6:53 PM	Cameron Powell	29.5 KB
0.4	11/21/2022 6:44 PM	Cameron Powell	28.6 KB
0.3	11/21/2022 6:24 PM	Cameron Powell	25.5 KB
0.2	11/21/2022 6:20 PM	Cameron Powell	24.7 KB
0.1	11/21/2022 6:19 PM	Cameron Powell	24.5 KB

ClientName	Phillips, Gregg
ClientCode	0183
MatterName	Phillips, Gregg / Konnech, Inc.
MatterID	2022-00073

8. Not long afterward, I caught a pretty bad flu, which took another two weeks to fully recover. My co-counsel, Michael Wynne, and I had pre-existing plans over Thanksgiving and Christmas that did not include forcing the motion to recuse.

9. Indeed, as the following two screenshots, referencing the number 110, illustrate, we took our time. The number 110 is an indication of the number of times someone modified the Motion to Recuse document. In short, we took the time to do the research, to make the points that needed making, to discuss matters closely with our clients, and to get the arguments right.

Version history

Delete All Versions | Delete Minor Versions

No.	Modified	Modified By	Size
0.110	1/5/2023 2:40 PM	Cameron Powell	103.2 KB
0.109	1/5/2023 2:35 PM	Cameron Powell	103.2 KB
0.108	1/5/2023 2:23 PM	Cameron Powell	102.7 KB
0.107	1/5/2023 1:05 AM	Michael Wynne	102.3 KB
0.106	1/4/2023 7:28 PM	Cameron Powell	102.6 KB
0.105	1/4/2023 7:22 PM	Cameron Powell	101.5 KB
0.104	1/4/2023 6:59 PM	Michael Wynne	102 KB
0.103	1/4/2023 6:47 PM	Michael Wynne	100 KB
0.102	1/4/2023 6:37 PM	Michael Wynne	99.3 KB
0.101	1/4/2023 6:27 PM	Michael Wynne	98.7 KB
0.100	1/4/2023 6:16 PM	Michael Wynne	98.2 KB
0.99	1/4/2023 2:36 PM	Cameron Powell	97.8 KB

SharePoint Search this library

Phillips, Gregg / Konech, Inc. -2022-00073

Home + New Upload Edit in grid view Share Copy link Sync Download Add shortcut to OneDrive Automate Integrate

Documents Pleadings - Draft

Name	Version	Docu...	Docu...	Modified By	Modified	Add column
Exhibit Cover -- B.pdf	0.2	Q23W8Q4V...		Heather Martinez	November 8, 2022	
Exhibit Cover -- C.pdf	0.2	Q23W8Q4V...		Heather Martinez	November 8, 2022	
Exhibit Cover -- D.pdf	0.2	Q23W8Q4V...		Heather Martinez	November 8, 2022	
Exhibit D -- Michigan Complaint.pdf	0.2	Q23W8Q4V...		Heather Martinez	November 8, 2022	
KYONAGAS ing black.docx	0.1	Q15W8Q4V...		Heather Martinez	November 8, 2022	
Motion for Summary Judgment.docx	0.42	Q23W8Q4V...		Cameron Powell	November 16, 2022	
Motion to Recuse (2).docx	0.110	Q23W8Q4V...		Cameron Powell	January 5	
Motion to Recuse.docx	0.80	Q23W8Q4V...		Guest Contributor	November 22, 2022	

Return to classic SharePoint

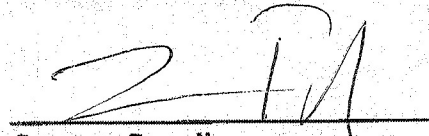
10. We filed our motion soon after the holidays, on January 5, 2023.

11. Whether a motion to recuse would obviate the need to respond to other motions of Plaintiff was not, to my recollection, ever a part of our considerations for either filing the motion or the timing. Contrary to Konnech's speculations, we did not file for it for the purpose of delaying anything – indeed, in our view, this case has already been too long delayed: Rule 26 disclosures have yet to take place, nor discovery to begin. We certainly did not discuss a desire to harass Konnech, or to increase the costs of litigation.

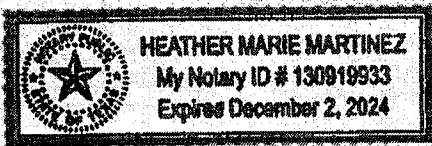
12. Nor did we file the motion because there had been rulings in the case adverse to our clients. We filed the Motion to Recuse because we believed after research and discussion with colleagues at the bar that there was a good-faith argument that outside observers could conclude the Court in this case had exhibited bias in favor of the opposing party, or that, even if it had not, the Court of Appeals had publicly said so, which even more strongly indicates recusal.


I certify under penalty of perjury that the foregoing is true and correct.

Further Affiant Sayeth Not.


Cameron Powell

Subscribed to and sworn before me on this 17th day of January, 2023.




Notary Public in and for the state of Texas